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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
TERRANCE JOHN COX,  
Defendant.

CASE NO. 1:22-CR-00214-ADA-BAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER

DATE: July 12, 2023  
TIME: 1:00 p.m.  
COURT: Hon. Barbara A. McAuliffe

This case is set for status conference on July 12, 2023. As set forth below, the parties now move, by stipulation, to continue the status conference to November 8, 2023, at 1:00 p.m. and to exclude the time period between July 12, 2023 and November 8, 2023 under the Speedy Trial Act.

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on July 12, 2023.  
2. By this stipulation, defendant now moves to continue the status conference until November 8, 2023, and to exclude time between July 12, 2023, and November 8, 2023, under 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv) [Local Codes T2 and T4].

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case is

1 voluminous and includes large amounts of digital forensic evidence, several hundreds of  
2 thousands of pages of financial records and reports, evidence obtained by search warrant, and  
3 extensive other evidence. All of this discovery has been either produced directly to counsel  
4 and/or made available for inspection and copying. The government has also copied digital  
5 evidence onto a hard drive provided by the defense, and produced that material to the defense.

6 b) Counsel for defendant desires additional time to consult with his client, to review  
7 the current charges, to conduct further investigation and research related to the charges, to  
8 receive and continue to review voluminous discovery including any supplemental discovery, to  
9 discuss potential resolution with government counsel, and to evaluate potential pretrial motions.  
10 Counsel for defendant has made substantial progress in reviewing relevant discovery, but  
11 requires additional time to analyze produced material due primarily to the volume of discovery  
12 and its complexity, including hundreds of thousands of pages of Bates stamped material and  
13 large amounts of digital evidence. Thus, a continuance of the status conference is necessary for  
14 continuity of counsel and to facilitate defense investigation and preparation.

15 c) Counsel for defendant believes that failure to grant the above-requested  
16 continuance would deny him the reasonable time necessary for effective preparation, taking into  
17 account the exercise of due diligence.

18 d) The government does not object to the continuance.

19 e) Based on the above-stated findings, the ends of justice served by continuing the  
20 case as requested outweigh the interest of the public and the defendant in a trial within the  
21 original date prescribed by the Speedy Trial Act.

22 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
23 et seq., within which trial must commence, the time period of July 12, 2023 to November 8,  
24 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv)  
25 [Local Codes T2 and T4] because it results from a continuance granted by the Court at  
26 defendant's request on the basis of the Court's finding that the ends of justice served by taking  
27 such action outweigh the best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 5, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ HENRY Z. CARBAJAL III  
HENRY Z. CARBAJAL III  
Assistant United States Attorney

Dated: July 5, 2023

/s/ MARK W. COLEMAN  
MARK W. COLEMAN  
Counsel for Defendant  
Terrance John Cox

**ORDER**

IT IS SO ORDERED that the status conference is continued from July 12, 2023, to **November 8, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv).

IT IS SO ORDERED.

Dated: July 6, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE